

REMARKS

Pending Claims

Claims 1-10 remain pending. Claims 4-9 have been amended to place them in independent form.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and receipt of the priority document.

Drawings

Applicants have amended the specification to delete the inadvertent reference to "Fig. 13", and instead refer to -- Fig. 3--. Accordingly, the objection to the drawing should be overcome.

35 U.S.C. §102 and §103

Claims 1 and 3 are rejected under 35 U.S.C. §102(b) as being anticipated by Mueller et al, U.S. Patent No. 6,298,720 (Mueller); claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mueller in view of Aoi et al, U.S. Patent No. 5,942,683 (Aoi); and claim 10 is rejected over

Mueller in view of Wakeman et al, U.S. Patent No. 4,571,996 (Wakeman). Reconsideration of the rejections is requested for the following reasons:

As amended, claim 1 sets forth the gas-flow measuring instrument combination of the invention, which includes a bypass passage having a first passage, second passage and third passage. The third passage includes a curve portion to change a flow direction of the intake gas in the bypass passage to flow the intake gas upstream with respect to the gas mainstream direction. Support for the amendment is set forth in the specification which describes Fig. 1, for example. The bypass passage 4 has a first passage 41, second passage 42 and third passage 43. The mainstream direction is shown by the arrow 14. The bypass passage shown in Fig. 1 also includes a bypass passage outlet 12. The bypass passage enables the gas to flow along the detour provided by the passages, which include a curve portion. See page 5, lines 8-18 of the specification. The flow of fluid, moisture, dust, etc. is prevented from reaching the heating resistor 1, temperature sensing resistor 2, and temperature sensor 3. Fluid, such as fluid droplets, or dust that collects in the

passages proceeds to be discharged from the bypass passage according to the various embodiments of the invention.

In Mueller, the flow rate measuring elements 12 are arranged in a first passage and the measurement device 1 is inclined in relation to the dashed line 21 that symbolizes the flight path of dirt particles entrained in the medium flowing through the line tube. The reference does not disclose the claimed combination of the bypass passage, which includes the first, second and third passages. Accordingly, the references does not anticipate claim 1 as amended.

Aoi discloses a flow rate measuring apparatus having a bypass passage in which the flow rate measuring elements are arranged in the passage that is equivalent to the first passage claimed by Applicants. Accordingly, the combination of Mueller and Aoi is insufficient to render the claimed invention obvious under 35 U.S.C. §103.

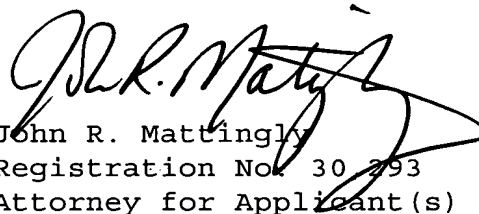
Wakeman discloses an air flow sensor, shown in Fig. 7, in which the sensor 10 is arranged in a bypass flow chamber 60 connected to impact tube passage way 56. The air flow sensor is arranged at the vicinity of the exit of the impact tube passage way 56. There is no disclosure in Wakeman of changing

the flow direction of the intake gas in the bypass passage, as claimed by Applicants. Accordingly, the combination of Mueller and Wakeman does not render the claimed invention obvious under 35 U.S.C. §103.

Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination is requested.

Respectfully submitted,

  
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Date: February 11, 2005